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	30 ROCKEFELLER PLAZA NEW YORK, NY 10112			RODRIGUEZ, PAUL L		
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Please find below and/or attached an Office communication concerning this application or proceeding.

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Application No.									
## Defice Action Summary Faul L Rodriguez	Office Action Summary		Application No.	Applicant(s)					
Paul L Rodriguez The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ± MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Edentation of this map be anxietium under the provisions of J CRF. 1.13(a), in no event, however, may a reply be limitely flied Edentation of the map by a favolition under the provisions of J CRF. 1.13(a), in no event, however, may a reply be limitely flied Edentation to the map by a favolition under the provisions of J CRF. 1.13(a), in no event, however, may a reply be limitely flied If the period for reply is specified above is base than thirty (30) days, as negly within the abstration of thirty (30) days will be considered intelly. If the period for reply is applied above. The material seal of the communication of the period by the first the mality death of this communication is period for reply in the period for reply in the period of reply in the period of the communication is become above. The period of the communication is death of the communication is period on the mality death of the communication is death of the control of the communication is death of the control of the communication is death of the period of the communication is death of the control of the communication is death of the period of the communication is death of the communication is death of the communication is death of the com			09/833,766	EMOTO, KEIJI					
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	1) Notice 2) Notice 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal						

DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-11 and 15-25, drawn to a double pipe structure, classified in class 138, subclass 111.
 - II. Claims 12-14, drawn to an electrical conductor with a vacuum conduit, classified in class 174, subclass 8.

The inventions are distinct, each from the other because of the following reasons:

Inventions I and II are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions are directed toward separate and distinct uses, one provides a vacuum pipe the other provides an electrical conductor, each group has a different function and are thus not necessarily capable of use together. For example, group I provides a pipe structure for a vacuum fluid and group II provides an electrical conduit and wire connection.

- 2. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 3. Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

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4. A telephone call was made to Steve Warner on 7/11/03 to request an oral election to the

above restriction requirement, but did not result in an election being made.

5. Applicant is advised that the reply to this requirement to be complete must include an

election of the invention to be examined even though the requirement be traversed (37 CFR

1.143).

6. Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Paul L Rodriguez whose telephone number is (703) 305-7399.

The examiner can normally be reached on 6:00 - 4:30 T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Leo P Picard can be reached on (703) 308-0538. The fax phone numbers for the

organization where this application or proceeding is assigned are (703) 746-7239 for regular

communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-9600.

Paul L Rodriguez

Examiner

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PLR

July 11, 2003

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